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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/516,615	12/03/2004	Dominique Baillet	1200.720	7122

7590

07/10/2006

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EXAMINER

LUGO, CARLOS

ART UNIT

PAPER NUMBER

3676

DATE MAILED: 07/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/516,615

Applicant(s)

BAILLET, DOMINIQUE

Examiner

Carlos Lugo

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 11 is/are rejected.
- 7) ☒ Claim(s) 4-10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. **Claim 1 is objected** to because of the following informalities:

- Claim 1 Line 1, delete the phrase "of the type".
- Claim 1 Line 2, change "for opening from the outside and operating means (14) for opening from the inside" to -for opening from the outside of the motor vehicle and operating means (14) for opening from the inside of the motor vehicle-.
- Claim 1 Line 15, change "an outside" to -the outside-

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1 and 11 are rejected** under 35 U.S.C. 102(b) as being anticipated by US Pat No 3,525,545 to Leslie.

Regarding claim 1, Leslie discloses a lock comprising operating means for opening from the outside (20) and operating means for operating from the inside (24).

A primary lever (60) pivots about a primary pin (62) between an angular locking position and an angular unlocking position in order to inhibit the means for operating from the outside.

A secondary lever (114) pivots about a secondary pin (116), substantially parallel to the primary pin, between an angular locking position and an angular unlocking position in order to inhibit the means for operating from the inside.

A driving member (60) is connected to the primary lever in order to directly pivot the primary lever from its locking position toward its unlocking position, during an operating phase referred to as outside unlocking phase.

Connection means (76 and 94) is arranged between the primary and the secondary levers so as to link the angular displacement of the two levers during the outside unlocking phase, with the aim of bringing about global unlocking of the lock consisting in pivoting the two levers from their respective locking positions toward their respective unlocking positions.

As to claim 11, Leslie discloses that the lock comprises means designed to make the secondary lever bistable or making the secondary lever stable in two positions (122).

4. **Claims 1-3 and 11 are rejected** under 35 U.S.C. 102(b) as being anticipated by EP 775,791 to Edward.

Regarding claim 1, Edward discloses a lock comprising operating means (14 and 40).

A primary lever (10) pivots about a primary pin (12) between an angular locking position and an angular unlocking position in order to inhibit the means for operating from the outside.

A secondary lever (36) pivots about a secondary pin (38), substantially parallel to the primary pin, between an angular locking position and an angular unlocking position in order to inhibit the means for operating from the inside.

A driving member (16) is connected to the primary lever in order to directly pivot the primary lever from its locking position toward its unlocking position, during an operating phase referred to as outside unlocking phase.

Connection means (42) is arranged between the primary and the secondary levers so as to link the angular displacement of the two levers during the outside unlocking phase, with the aim of bringing about global unlocking of the lock consisting in pivoting the two levers from their respective locking positions toward their respective unlocking positions.

As to claim 2, Edward illustrates that the connection means is a link rod (42) that comprises a point of articulation on the primary lever and a point of articulation at the secondary lever (Figure 1).

As to claim 3, Edward illustrates that the position of the articulation points of the link rod (42) is selected so that, during the global unlocking phase, the secondary lever (36) reaches its unlocking position before the primary lever (10) reaches its unlocking position (Figures 2-5).

As to claim 11, Edwards discloses that the lock comprises means designed to make the secondary lever bistable or making the secondary lever stable in two positions.

Allowable Subject Matter

5. **Claim 4 is objected to** as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
6. **Claims 5-10 would also be allowed** because the claims depend from claim 4.

At the instant, Edward fails to disclose that the link rod (42) is articulated at a fixed point of the primary lever and that the link rod is articulated on the secondary lever by means of an axial peg which is borne by the link rod and which interacts with an edge of a slot made in the secondary lever.

Edward discloses that the link rod (42) is articulated at a fixed point of the secondary lever (36), the link rod is articulated on the primary lever (10) by means of an axial peg (46) that interacts with an edge of a slot (44) made in the link rod.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number 571-272-7058. The examiner can normally be reached on 9-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3676

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

A handwritten signature in black ink, appearing to read 'CLG', followed by a horizontal line.

Carlos Lugo
Patent Examiner AU 3676
June 30, 2006.